

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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LUIS CARTAGENA,

Plaintiff,

- against -

PROVIDENCE CONSTRUCTION CORP.,

Defendant.

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ROSLYNN R. MAUSKOPF, United States District Judge.

**ORDER ADOPTING REPORT  
AND RECOMMENDATION**  
14-CV-7357 (RRM) (LB)

Luis Cartagena brings this action, alleging that his employer, Providence Construction Corporation (“Providence”), violated Title VII by discriminating against him on the basis of his race, color, and religion. Providence has neither answered nor otherwise appeared in this case. The Clerk of Court noted default, and Cartagena moved for default judgment. (Mot. Def. J. (Doc. No. 24).) This Court granted the motion and respectfully referred the matter to Magistrate Judge the Honorable Lois Bloom for an inquest on damages. (*See* 8/12/2016 Order.)

Before the Court is Judge Bloom’s Report and Recommendation (“R&R”), recommending that this Court find that Providence discriminated against Cartagena on the basis of race and that Cartagena is entitled to \$15,744 in back pay and \$5,000 in damages. Judge Bloom reminded the parties they had 14 days to object.<sup>1</sup>

Cartagena filed what he styled as a “letter of objection.” (Ltr. (Doc. No. 33).) However, Cartagena did not actually object to the R&R, but instead urged the Court to adopt the R&R. Providence never filed any objection.

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<sup>1</sup> The 05/01/2017 docket entry did not reflect that a copy of the R&R was sent to Providence. However, the Clerk’s Office re-sent the R&R to Providence on 4/11/2018, as reflected in the docket entry for that date.

Pursuant to 28 U.S.C. § 636(b) and Rule 72, the Court has reviewed the R&R for clear error and, finding none, concurs with the R&R in its entirety. *See Covey v. Simonton*, 481 F. Supp. 2d 224, 226 (E.D.N.Y. 2007).

Accordingly, it is hereby ordered that default judgment is granted in favor of Cartagena as against Providence in the total amount of \$20,744, comprised of:

- (i) \$15,744 in back pay; and
- (ii) \$5,000 in emotional damages.

The Clerk of Court is directed to enter judgment pursuant to this Order and close the case. The Clerk should also mail a copy of this Order and the accompanying judgment to both Cartagena and Providence, and note the mailing on the docket.

SO ORDERED.

Dated: Brooklyn, New York  
*Mary* 3, 2018

s/Roslynn R. Mauskopf

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ROSLYNN R. MAUSKOPF  
United States District Judge